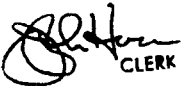


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

OCT 27 2015


CLERK

DEAN COCHRUN,

Plaintiff,

vs.

DARIN YOUNG, Warden;
VARIOUS UNKNOWN STATE AGENTS;
VARIOUS UNKNOWN FEDERAL
AGENTS;
MEADE COUNTY,

Defendants.

5:15-CV-05067-LLP

ORDER DISMISSING CASE

On September 14, 2015, plaintiff filed a complaint and moved for leave to proceed *in forma pauperis*. Dockets 1 and 3. On September 15, the Court denied plaintiff's motion and ordered him to pay the full filing fee pursuant to 28 U.S.C. § 1915(g)'s "three strikes" rule. Docket 7. The Court warned plaintiff that his case would be dismissed if he failed to pay the filing fee by October 15, 2015. *Id.*

The deadline has passed, and plaintiff has not paid the filing fee. Plaintiff's case is therefore dismissed for failing to comply with the Court's order. See Fed. R. Civ. Pro. 41(b); see also *Wewerka v. Roper*, 431 F. App'x 517 (8th Cir. 2011) (holding the district court did not abuse its discretion by dismissing case without prejudice based on prisoner plaintiff's failure to pay the initial partial filing fee as ordered).

Plaintiff also moves for relief under "Trinity's Rule." Docket 5. This rule is plaintiff's invention, and he has not provided legal basis for its application.

Accordingly, it is

ORDERED that plaintiff's motion for Trinity's Rule (Docket 5) is denied.

IT IS FURTHER ORDERED that plaintiff's complaint (Docket 1) is dismissed without prejudice because plaintiff failed to comply with this Court's orders.

Dated October 26, 2015.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Lawrence L. Piersol", is written over a horizontal line.

LAWRENCE L. PIERSOL
UNITED STATES DISTRICT JUDGE